

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

HENRY PINA,

Plaintiff,

ORDER

04-CV-6092L

v.

SERGEANT WETZEL, et al.,

Defendants.

By letter dated August 29, 2005, plaintiff requests leave to withdraw his complaint and dismiss the action. The request is granted. Pursuant to Rule 41(a)(2), FED. R. CIV. P., plaintiff's motion is granted and this case is dismissed with prejudice.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
September 1, 2005.